

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50876 of 2018

Arising Out of PS. Case No.-574 Year-2016 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Bhabhua (Kaimur)

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Arvind Kumar Singh Son of Late Hridya Singh @ Late Hirdya Nand Singh
Resident of Village - Sion, P.S. - Bhabhua, District - Kaimur Bhabua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ramdhari Singh, son of late Bagedu Singh, vill.Odar, P.O. Odar,
P.S.Sonhan (Bhabua), District Kaimur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Narayan Rai
For the Opposite Party/s : Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 23-01-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 406 and 420 IPC registered in connection with
Complaint Case No. 574 of 2016 (Trial No. 386/2016).

3. It is submitted that the petitioner, who is a transporting agent
of the SFC has been falsely implicated in an FIR at the instance of the
Rice Miller and not the SFC with whom the petitioner has entered into
an agreement. The accusation that the petitioner did not lift the CMR
from the complainant's Rice Mill for delivery to the SFC is without
basis, inasmuch as the petitioner could only lift the rice at the instance
of the SFC. Whatever rice had been lifted by the petitioner from the
complainant's Rice Mill was delivered to the SFC in the past and there
is no shortage on that account.

4. Despite valid service of notice, none is present on behalf of
the complainant when the matter is called.

5. Be that as it may, having regard to the entirety of the facts and
circumstances, in the event of the petitioner's arrest or surrender



before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Kaimur at Bhabhua, in connection with Complaint Case No. 574 of 2016 (Trial No. 386/2016), subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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